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SUBSTITUTE for PTO/SB/05 (08/00) Utility Patent Application Transmittal
Approved for use through 10/31/2002 OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCEUTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 18199CB

First Inventor or Application Identifier EL523909946US

Title Vascular Endothelial Cell Growth Factor II

Express Mail Label No. EL523909946US

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 47]
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 34]
[Total Pages 81]
4. Oath or Declaration
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 14 completed)
- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior
application, see 37 CFR 1.63(d)(2)
and 1.33 (b).
5. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
9. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
10. ☒ Preliminary Amendment
11. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
12. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
13. ☒ Other: Req to file Cont 37 CFR 1.53(b)

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09 / 326,879


Prior application information: Examiner Spector, L Group/Art Unit 1647

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

15. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code LabelCustomer No. 000210
(Insert Customer No. or Attach bar code here)

NAME	J. Mark Hand				
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30				
CITY	Rahway	STATE	NJ	ZIP CODE	07065-0907
COUNTRY	USA	TELEPHONE	732-594-3905	FAX	732-594-4720

Name	J. Mark Hand	Registration No. (Attorney/Agent)	36,545
Signature		Date	2/8/2002

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT February 8, 2002

EXPRESS MAIL NO. EL523909946US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION, WASHINGTON, D.C. 20231.

MAILED BY



DATE

2-8-02

02-11-02

Patent Case No. 18199CB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

Prior Application:

Examiner Spector, L.

Art Unit 1647

Sir: This is a request for filing a ☒ Continuation ☐ Divisional

application, under 37 C.F.R. 1.53(b), of pending application Serial No. 09/326,879 filed on

6/7/1999 of Marvin L. Bayne, Gregory L. Conn, Kenneth A. Thomas, Jr.
(DATE) (INVENTOR)

for VASCULAR ENDOTHELIAL CELL GROWTH FACTOR II

(TITLE OF INVENTION)

1. The enclosed comprises a copy of prior application Serial No. 08/229,185, as filed on

8/31/1994. The entire disclosure of this prior application is hereby incorporated by reference.

2. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Total Claims	16	0	\$18	\$0
Independent Claims	4	1	\$84	\$84
*Multiple Dependent Claims			\$280	
Basic Fee (minimum amount required)				\$740
*Add this fee if application contains any multiple dependent claims, regardless of number.				\$824
				Total Fee

3. The Assistant Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to
Account No. 13-2755.4. ☒ Amend the specification by inserting before the first line the sentence:

-- This is a ☒ continuation, ☐ division of application Serial No. 09/326,879 filed 6/7/1999; which is a
divisional of application no. 09/038,199 filed 3/10/98 issued as U.S. Patent 6,180,107 which is a divisional of application 08/229,185 filed 8/31/94 issued
as U.S. Patent 5,726,152 which is a continuation-in-part of application 08/000,834 filed 1/5/93, abandoned, which is a continuation of application
07/586,638 filed 9/21/90, abandoned.

5. ☒ Cancel in this application original claims: 1-21 (see attached Prel. Amend)6. ☒ Preliminary amendment enclosed.7. ☐ Information Disclosure Statement/PTO-1449 enclosed.8a. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this
application. A duplicate copy of this sheet is enclosed for filing in the prior application file.8b. ☐ New formal drawings are enclosed.9a. ☐ Priority of application Serial No. _____, filed _____,
in _____ is claimed under 35 U.S.C. 119.
(COUNTRY)9b. ☐ The certified copy of the priority application has been filed in prior application Serial No. _____,
filed _____.10. ☒ The prior application is assigned to Merck & Co., Inc. Rahway, New Jersey 07065.11. ☒ The undersigned attorney or agent has:a. ☐ Power in the prior application as originally filed.b. ☒ Associate power, copy enclosed.

Respectfully,

J. Mark Hand
By: J. Mark Hand

Attorney _____ for Applicant(s)

Registration No. 36,545

Telephone: (732) 594-3905

Address: Merck & Co., Inc.
Patent Department
P.O. Box 2000 - RY60-30
Rahway, N.J. 07065-0907

Date: February 8, 2002

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FOR PATENTS, WASHINGTON, D.C. 20231.

MAILED BY *Christa Caffe* DATE 2-8-02

IN DUPLICATE

Enclosure